



Order Filed on December 4,  
2019 by Clerk U.S. Bankruptcy  
Court District of New Jersey

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

**RAS Citron, LLC**

Authorized Agent for Secured Creditor

130 Clinton Road, Lobby B, Suite 202

Fairfield, NJ 07004

Telephone: 973-575-0707

Facsimile: 973-404-8886

Harold Kaplan (HK0226)

In Re:

**Morgan P Levally,**

**Debtor,**

**Patricia E Levally,**

**Joint Debtor.**

Case No.: 19-23417-JNP

Chapter: 13

Hearing Date: November 19, 2019

Judge: Jerrold N. Poslusny Jr.

**AGREED ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF  
FROM THE AUTOMATIC STAY**

The relief set forth on the

ORDERED.

**DATED: December 4, 2019**

A handwritten signature in dark ink, appearing to read "Jerrold N. Poslusny, Jr.", written over a horizontal line.

Honorable Jerrold N. Poslusny, Jr.  
United States Bankruptcy Court

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Secured Creditor: SPS - Select Portfolio Servicing, Inc.

Secured Creditor's Counsel: RAS Citron, LLC

Debtors' Counsel: Eric Clayman

Property Involved ("Collateral"): 105 Firth Drive, Mantua, New Jersey 08051

Relief sought:           ■ Motion for relief from the automatic stay

For good cause shown, it is **ORDERED** that Secured Creditor's Motion(s) is (are) resolved, subject to the following conditions:

1.       Status of post-petition arrearages:

- The Debtor is overdue for 4 months from 8/1/2019 through 11/1/2019.
- The Debtor is overdue for 4 payments from 8/1/2019 through 11/1/2019 at \$846.12 per month.

Funds Held In Suspense \$0.00.

Total Arrearages Due \$3,384.48.

2.       Debtor must cure all post-petition arrearages, as follows:

- Beginning on December 1, 2019, regular monthly mortgage payments shall continue to be made in the amount of \$846.12.
- Beginning on December 15, 2019, monthly cure payments shall be made in the amount of \$564.08 for 6 months.

3.       Payments to the Secured Creditor shall be made to the following address(es):

- Regular monthly payment: Select Portfolio Servicing, Inc.  
Attn: Remittance Processing  
P.O. Box 65450  
Salt Lake City, UT 84165-0450
- Monthly cure payment: Select Portfolio Servicing, Inc.  
Attn: Remittance Processing

P.O. Box 65450  
Salt Lake City, UT 84165-0450

4. In the event of Default:

■ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Consent Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and the Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 7 and Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

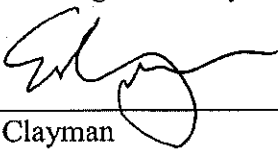
5. Award of Attorneys' Fees:

■ The Applicant is awarded attorney fees of \$350.00 and costs of \$181.00.

The fees and costs are payable:

■ Through the Chapter 13 plan.

The undersigned hereby consent to the form and entry of the foregoing order.

  
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Eric Clayman  
Attorney for Debtor(s)

/s/ Harold Kaplan

\_\_\_\_\_  
Harold Kaplan  
Attorney for Secured Creditor  
12/2/2019